

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 07-323(1) & (4) (DWF/FLN)

Plaintiff,

v.

**ORDER**

Humberto Lugo-Olivares, Jr.,  
a/ka Beto, a/k/a Alex (1),  
and Samuel Isaiah Garza,  
a/k/a Flaco, a/k/a Sammy (4),

Defendants.

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Tracy L. Perzel, Assistant United States Attorney, United States Attorney's Office,  
counsel for Plaintiff.

Kassius O. Benson, Esq., Law Office of Kassius O. Benson, PA, counsel for Defendant  
Humberto Lugo-Olivares, Jr.

Daniel L. Gerds, Esq., Brnk & Gerds, P.A., counsel for Defendant Samuel Isaiah Garza.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by  
United States Magistrate Judge Franklin L. Noel dated November 9, 2007, all the files  
and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Defendant Lugo-Olivares' Motion to Suppress  
Evidence Obtained as a Result of Search and Seizure (Doc. No. 93), Defendant Humberto  
Lugo-Olivares' Motion to Suppress Statements, Admissions, and Answers (Doc. No. 94),  
Defendant Humberto Lugo-Olivares' Motion to Suppress Eyewitness Identifications

(Doc. No. 97), Defendant Samuel Isaiah Garza's Motion to Suppress All Electronic Surveillance Evidence and Any Evidence Derived Therefrom (Doc. No. 85), Defendant Samuel Isaiah Garza's Motion to Suppress All Evidence Obtained From Unlawful Searches and Seizures (Doc. No. 86), and Defendant Samuel Isaiah Garza's Motion to Suppress Statements Made By Defendant (Doc. No. 87) are **DENIED**.

Dated: December 12, 2007

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court